

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

EMPOWER OVERSIGHT)	
WHISTLEBLOWERS & RESEARCH,)	
)	
Plaintiff,)	
)	Case No. 1:23-cv-95 (LMB/JFA)
v.)	
)	
U.S. DEPARTMENT OF JUSTICE,)	
)	
Defendant.)	
_____)	

JOINT STATUS REPORT

This is a Freedom of Information Act (“FOIA”) action brought by Empower Oversight Whistleblowers & Research in connection with a FOIA request submitted to two Department of Justice (“DOJ”) components: the Office of Information Policy (“OIP”) and the National Security Division (“NSD”).

On May 25, 2023, the Court granted Defendant’s motion to stay the proceedings, and it also ordered the parties to submit status reports every thirty days. Dkt. No. 18. On June 26, 2023, the parties provided their first joint status report. Dkt. No. 19. On July 26, 2023, the parties provided their second joint status report. Dkt. No. 20. On August 25, 2023, the parties provided their third joint status report. Dkt. No. 21.

Pursuant to that Order, the parties provide the Court the following update:

As to OIP, on September 22, 2023, Defendant provided Plaintiff with a fourth and final response to Plaintiff's FOIA request. As such, OIP has now issued a final determination¹ as to all 7,513 pages of potentially responsive records located in its initial search.

As to NSD, there is no status update to provide. As indicated in the previous status report, NSD has completed its final determination to Plaintiff's FOIA request.

Given that Defendant has issued final determinations to Plaintiff's FOIA request, the parties will confer in an effort to resolve any outstanding issues and provide the Court with an update in their next status report. Pursuant to the Court's May 25 Order, the parties will file another status report by October 25, 2023.

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¹ A "final determination" includes the release of a record in full, release of a record in part subject to applicable FOIA exemptions, withholding of a record in full pursuant to applicable FOIA exemptions, determining that a record is scoped out pursuant to the parties' agreed-upon scoping agreement, determining that a record is not responsive, and/or determining that a record is wholly duplicative of other records processed.

Dated: September 25, 2023

/s/

BRIAN J. FIELD (admitted *pro hac vice*)
Schaerr | Jaffe LLP
1717 K Street, NW
Suite 900
Washington, DC 20006
Tel: (202) 787-1060
Fax: (202) 776-0136
Email: bfield@schaerr-jaffe.com

JEFFREY S. BEELAERT
Stein Mitchell Beato & Missner LLP
901 15th Street, NW
Suite 700
Washington, DC 20005
Tel: (202) 661-0923
Fax: (202) 296-8312
Email: jbeelaert@steinmitchell.com

Counsel for Plaintiff

Respectfully submitted,

JESSICA D. ABER
United States Attorney

/s/

MATTHEW J. MEZGER
Assistant United States Attorney
Office of the United States Attorney
2100 Jamieson Avenue
Alexandria, Virginia 22314
Tel: (703) 299-3741
Fax: (703) 299-3983
Email: Matthew.Mezger@usdoj.gov

Counsel for Defendant